

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

STEPHANIE A. WHEELOCK,

Plaintiff,

v.

Case No: 6:11-cv-1862-Orl-28GJK

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

REPORT AND RECOMMENDATION

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: MOTION FOR ENTRY OF JUDGMENT WITH REMAND
 (Doc. No. 20)**

FILED: July 20, 2012

THEREON it is RECOMMENDED that the motion be GRANTED.

On July 20, 2012, the Commissioner filed an unopposed Motion for Entry of Judgment with Remand (the “Motion”) requesting that the final decision of the Commissioner be reversed and remanded for the following reasons:

The [Administrative Law Judge (the “ALJ”)] will offer Plaintiff a hearing; update the administrative record; obtain a medical expert to determine the nature and severity of Plaintiff’s physical impairment and further evaluate the [Residual Functional Capacity] with specific references to evidence in support. If the ALJ rejects opinions from treating/examining sources, the rationale will be rooted in the case record with specific evidentiary support. The ALJ will further evaluate Plaintiff’s mental impairment and establish specific work-related limitations. The ALJ will obtain

the assistance of a vocational expert to determine the erosion of the occupational base and the ALJ will issue a new decision.

Doc. No. 20 at 1. The Motion is unopposed. Doc. No. 20 at 2.

Accordingly, it is **RECOMMENDED** that the Court:

1. **GRANT** the Motion (Doc. No. 20);
2. **REVERSE and REMAND** the case pursuant to 42 U.S.C. § 405(g) for further proceedings as set forth above; and
3. Direct the Clerk to close the case.

Failure to file written objections to the proposed findings and recommendations contained in this report within fourteen (14) days from the date of its filing shall bar an aggrieved party from attacking the factual findings on appeal. If the parties have no objection to this report and recommendation, they may promptly file a joint notice of no objection.

Recommended in Orlando, Florida on July 23, 2012.



GREGORY J. KELLY
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy